



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



105 South Meridian Street
P.O. Box 6015
Indianapolis 46206-6015
Telephone 317/232-8603

January 25, 1991

Re: Miles, Inc.
1127 Myrtle Street
Elkhart, Indiana
IND 005068705

Dear Interested Party:

Enclosed is a copy of the public notice that appeared on January 25, 1991, in the Elkhart Truth. The Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency (U.S. EPA) are announcing the availability for public review of a draft permit, pursuant to Rule 329 IAC 3 and 40 CFR Part 264, for Miles, Inc., to operate a hazardous waste container storage facility in Elkhart, Indiana. The IDEM and the U.S. EPA are inviting public comments on the draft permit.

The draft permit specifies the conditions under which the facility must manage hazardous waste in order to maintain compliance with the State and Federal statutes and rules.

Included for your information is a copy of the Fact Sheet. The draft permit for Miles, Inc., is available for public inspection and copying at the Elkhart Public Library, 300 South 2nd Street, Elkhart, Indiana, and at the IDEM, 105 South Meridian Street, Indianapolis, Indiana. Copies of the draft permit may be obtained for fifteen (15) cents per page by contacting Ms. Beth May at AC 317/232-3220.

The IDEM and the U.S. EPA are accepting written comment on the draft permit for Miles, Inc. Comments must be postmarked by March 11, 1991, and should be sent to:

Mr. Thomas E. Linson, Chief
Hazardous Waste Management Branch
Office of Solid and Hazardous Waste Management
Department of Environmental Management
P.O. Box 6015
105 South Meridian Street
Indianapolis, Indiana 46206-6015

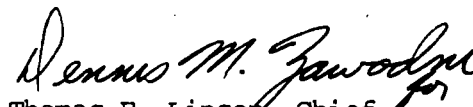
Comments on the Federal portion of the draft permit may also be sent to the U.S. EPA, Region V, RCRA Activities, P.O. Box A3587, Chicago, Illinois 60690. Final decisions to issue or deny the respective portions of the permit will be made by each agency following the close of the public comment period.

An Equal Opportunity Employer

Before taking final action on the permit application, the IDEM and the U.S. EPA will give full consideration to all significant and substantive comments regarding this permit decision.

Pursuant to IC 4-21.5-3-5, unless you submit comments on this preliminary permit decision, or otherwise contact the IDEM to request further notice, you will not be independently notified of the final decision to issue or deny a permit to this facility.

Sincerely,



Thomas E. Linson, Chief
Hazardous Waste Management Branch
Solid and Hazardous Waste Management

ECM/gjo

cc: Mr. Hak Cho, U.S. EPA, Region V
Ms. Fayola Wright, U.S. EPA, Region V

JOINT PUBLIC NOTICE

The Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency (U.S. EPA) are hereby giving notice of their intent to issue a Resource Conservation and Recovery Act (RCRA) permit to Miles, Inc., 1127 Myrtle Street, P.O. Box 40, Elkhart, Indiana. This permit will allow Miles, Inc., to continue to operate a hazardous waste container storage facility at Elkhart, Indiana. This notice is given in accordance with 329 IAC 3 and Section 7004 of the RCRA, Section 124.10 of Title 40 of the Code of Federal Regulations ("40 CFR"). The IDEM and the U.S. EPA are inviting public comments on the permit application and on the terms and conditions of this draft permit.

In 1976 the Resource Conservation and Recovery Act (RCRA) amended the Solid Waste Disposal Act (SWDA), 42 U.S.C. 6901, et. seq., to require certain facilities engaged in treating, storing, or disposing of hazardous wastes to have a permit for such activity. In 1984 the SWDA was again amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). The 1984 HSWA legislation contained additional permitting requirements, e.g., waste minimization, minimum technology requirements, and corrective action for releases from a permitted facility's solid waste management unit(s).

The State of Indiana is authorized to administer the hazardous waste permit program in lieu of the Federal program, excluding administration of the Hazardous and Solid Waste Amendments of 1984 (HSWA). The HSWA portion of this permit is being issued by the U.S. EPA. Therefore, the RCRA permit contains both the effective State permit conditions and the effective Federal HSWA permit conditions. A Fact Sheet has been prepared which explains which permit conditions are being issued by the State and the U.S. EPA, respectively.

Miles, Inc., operates a container storage facility at the Elkhart site, and generates wastes which are determined to be hazardous by State and Federal law. The permit will allow Miles, Inc., to continue to store these wastes. Issuance of the permit will impose the more stringent requirements of 329 IAC 3 and 40 CFR 264 on the facility.

The Part B Permit application, draft permit, and Fact Sheet are available for public inspection and copying at the Elkhart Public Library, 300 South 2nd Street, Elkhart, Indiana. These materials and other supporting documents, which make up the State administrative record, are also available at the IDEM offices, 105 South Meridian Street, Indianapolis, Indiana, from 8:15 a.m. until 4:30 p.m., weekdays. The materials which make up the Federal administrative record, can be found at the U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois, during normal business hours. Please contact Ms. Beth May at the IDEM at AC 317/232-3220, or Ms. Carol Witt-Smith at the U.S. EPA at AC 312/886-6146, for further information.

A public hearing on the RCRA permit is scheduled to be held on February 28, 1991, at the Elkhart Public Library, 300 South 2nd Street, Elkhart, Indiana. The hearing will start at 7 p.m., and will continue until all persons who have registered have had an opportunity to present their comments for the record. Speakers should register by 7 p.m. that evening, limit their oral presentations to five minutes, and submit two copies of their oral presentation in written form. The hearing will continue until all persons have had an opportunity to present their comments for the record.

The public comment period may be extended by the IDEM Commissioner, or the U.S. EPA Regional Administrator, if an extension of time is deemed necessary to facilitate additional public comment.

Written comments on the permit application and the State and Federal draft permit conditions will also be accepted by the IDEM and the U.S. EPA during the public comment period which begins on January 25, 1991, and ends on March 11, 1991. All comments or requests concerning the Part B Permit permit application and draft permit must be postmarked by March 11, 1991, and should be sent to:

Mr. Thomas E. Linson, Chief
Hazardous Waste Management Branch
Office of Solid and Hazardous Waste Management
Indiana Department of Environmental Management
105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015

After the close of the public comment period, the IDEM and the U.S. EPA will evaluate all comments received before issuing a permit decision. Each person who submitted written comments, registered at the public hearing or requested notice of the decision will receive notice of the final decision. At that time, the IDEM and the U.S. EPA will also respond to all significant comments on their respective conditions of the draft permit, specify which provisions of the permit were changed, if any, and indicate that additional comments have been included in the administrative record.

The final decision will also include a reference to the procedures for appealing the decision. The State procedures for public comment and hearings are found in Rule 329 IAC 3-39-7, and the U.S. EPA procedures can be found in 40 CFR 124.19.

Section 3004(u) of RCRA, as amended by the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 U.S.C. §6294(u)), requires that corrective action be performed for all releases of hazardous waste or hazardous waste constituents from any solid waste management units at a facility seeking a permit. Although the State of Indiana has received authorization to issue a RCRA permit, it has not yet been authorized to implement the required provisions of HSWA. The U.S. EPA has the authority to implement the HSWA amendments. Information is hereby solicited regarding any solid waste management units or releases of hazardous waste or hazardous waste constituents from such units at this facility. Comments may be sent to the State at the above address, or to the U.S. EPA at 230 South Dearborn, Chicago, Illinois 60604, Attention: Ms. Carol Witt-Smith. Contact Ms. Carol Witt-Smith at the U.S. EPA at AC 312/886-6146 between the hours of 8 a.m. and 5 p.m. or Ms. Beth May at the IDEM at AC 317/232-3220 between the hours of 8 a.m. and 4:45 p.m.

FACT SHEET

Miles, Inc.

Elkhart, Indiana

Elkhart County

IND 005068705

The Indiana Department of Environmental Management (IDEM) has prepared this Fact Sheet in order to briefly advise the public of the principle facts and the significant legal, methodological, and policy questions considered in preparing a draft permit for the Miles, Inc., container storage hazardous waste management facility.

I. Introduction

The Solid Waste Disposal (SWDA), as amended, 42 USC 6901, et. seq. (commonly known as the Resource Conservation and Recovery Act of 1976 (RCRA)) was passed by Congress to provide technical and financial assistance for the development of management plans and facilities for the recovery of energy and other resources from discarded materials, and for the safe disposal of discarded materials, and to regulate the management of hazardous waste. Subtitle C of RCRA, hazardous waste management, Section 3001 through 3013, address the management of hazardous waste from generation to disposal.

Under RCRA Subtitle C, the U.S. Environmental Protection Agency (U.S. EPA) on May 19, 1980, promulgated the first phase of hazardous waste management regulations, 40 CFR 260-265. Also on May 19, 1980, the U.S. EPA promulgated the Consolidated Permit Regulations, 40 CFR 122-124. These regulations have been amended many times. On January 12, January 23, January 26, and February 5, 1981; January 24, and July 26, 1982, the U.S. EPA promulgated interim final regulations to fulfill Section 3005 of RCRA, establishing a permit system governing the treatment, storage and/or disposal of hazardous waste.

In the State of Indiana, the IDEM is authorized by IC 13-7-8.5 to administer the hazardous waste permit program and related hazardous waste management requirements. Therefore, a hazardous waste facility which stores, treats, and/or disposes of hazardous waste in the State must obtain a permit from the IDEM pursuant to Title 329 of the Administrative Code, Article 3 (329 IAC 3-33 through 3-39).

On November 8, 1984, the Hazardous and Solid Waste Amendments of 1984 (HSWA) were enacted to modify RCRA. Under Section 206 of the Amendments pertaining to Section 3004 of the Solid Waste Disposal Act, all RCRA permits issued after the date of enactment must provide for corrective action for all releases of hazardous waste or of hazardous constituents from any solid waste management unit, regardless of the time the waste was placed in the unit.

In 1984, regulations were promulgated under HSWA and codified in Title 40 of the Code of Federal Regulations (40 CFR). Since the State of Indiana has not yet received authorization to administer the new hazardous waste program requirements under HSWA, any permit conditions required under HSWA must be

issued by the U.S. EPA. These conditions will be contained in the final permit, which consists of effective State permit and the effective federal permit.

Each agency has regulations which require a permit to be issued for all facilities which treat, store, and/or dispose of hazardous waste. The final hazardous waste management permit for Miles, Inc., Elkhart, Indiana, will be jointly issued by IDEM and EPA.

II. The Permit Process

The purpose of the permitting process is to afford the IDEM, the U.S. EPA, and interested citizens the opportunity to evaluate the ability of the Permittee, Miles Inc., to comply with the applicable hazardous waste management requirements of 329 IAC 3. The IDEM is required to prepare a draft permit which sets forth in one document all the applicable requirements with which the Permittee must comply throughout the duration of the permit. Under 329 IAC 3-39-6, the regulations require that the public be given a forty-five (45)-day comment period for each Draft Permit prior to any final permitting action on the application. The comment period will begin on January 25, 1991, and end on March 11, 1991. The public notice will be published on January 25, 1991, in the Elkhart Truth, a local newspaper of general circulation. The public notice will also be broadcast over local radio station WFRN.

A public hearing on the permit is scheduled to be held on February 28, 1991 at the Elkhart Public Library, 300 South 2nd Street, Elkhart, Indiana. The hearing is scheduled to start at 7 p.m. and continue until all persons who have registered have had an opportunity to present their comments for the record.

After the close of the public comment period, the IDEM will evaluate all comments received before issuing a permit decision. Comments may be submitted to:

Mr. Thomas E. Linson, Chief
Hazardous Waste Management Branch
Office of Solid and Hazardous Waste Management
Indiana Department of Environmental Management
105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015

When the Commissioner of the IDEM makes the final permit decision, notice will be given to the applicant and each person who presented oral testimony at the hearing, submitted written comments or requested notice of the final permit decision. In accordance with 40 CFR 124.17 and 329 IAC 3-39-9, the IDEM and the U.S. EPA will respond to all significant comments on the draft permit and specify which provisions of this permit were changed. Also, the Notice of Decision will include a reference to the procedures for appealing the decision (IC 4-22, 329 IAC 3-39-13, and 40 CFR 124.19).

III. Facility Description

Miles, Inc. manufactures health care, medial diagnostic, and food-related products in Elkhart, Indiana, and generates wastes which are determined to be hazardous by State and federal law. The proposed permit would allow Miles, Inc., to continue to store hazardous waste in containers on-site. The hazardous waste streams to be permitted for storage are:

<u>Hazardous Waste No.</u>	<u>Waste Description</u>
D001	Ignitable
D002	Corrosive
D003	Reactive
D004	TCLP for Arsenic
D005	TCLP for Barium
D006	TCLP for Cadmium
D007	TCLP for Chromium
D008	TCLP for Lead
D009	TCLP for Mercury
D011	TCLP for Silver
D018	TCLP for Benzene
D019	TCLP for Carbon Tetrachloride
D022	TCLP for Chloroform
D028	TCLP for 1,2-Dichloroethane
D035	TCLP for Methyl Ethyl Ketone
D038	TCLP for Pyridine
D040	TCLP for Trichloroethylene
F001	Spent halogenated solvents used in degreasing: Tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane carbon tetrachloride, and chlorinated fluorocarbons; all spent solvent mixtures/blends used in degreasing containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F002, F004, or F005; and still bottoms from the recovery of these spent solvents and solvents mixtures.
F002	Spent halogenated solvents: Tetrachloroethylene, trichloroethylene, methylene chloride, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trichloroethane, o-dichlorobenzene,

trichlorofluoromethane, and 1,1,2-trichloroethane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above halogenated solvents or those listed in F001, F004, or F005; and still bottoms from the recovery of these spent solvents and solvent mixtures.

F003

Spent non-halogenated solvents: Xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, and methanol; all spent solvent mixtures/blends containing, before use, one or more of the above non-halogenated solvents, and, a total of ten percent or more (by volume) of one or more of the solvents listed in F001, F002, F004, or F005; and still bottoms from the recovery of these spent solvents and solvent mixtures.

F005

Spent non-halogenated solvents: Toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, and 2-nitropropane; all spent solvent mixtures/blends containing, before use, a total of ten percent or more (by volume) of one or more of the above non-halogenated solvents or those listed in F001, F002, or F004; and still bottoms from the recovery of these spent solvents and solvent mixtures.

P003

Acrolein

P005

Allyl alcohol

P008

4-Aminopyridine

P009

Ammonium picrate

P010

Arsenic acid

P011

Arsenic pentoxide

P012	Arsenic trioxide
P018	Brucine
P022	Carbon disulfide
P024	p-Chloroaniline
P028	Benzyl chloride
P029	Copper cyanide
P030	Cyanides (soluble cyanide salts) not otherwise specified
P046	alpha, alpha-Dimethylphenethylamine
P048	2,4-Dinitrophenol
P054	Aziridine
P068	Methyl hydrazine
P075	Nicotine, and salts
P077	p-Nitroaniline
P087	Osmium tetroxide
P095	Phosgene
P098	Potassium cyanide
P105	Sodium azide
P106	Sodium cyanide
U001	Acetaldehyde
U002	Acetone
U003	Acetonitrile
U004	Acetophenone
U006	Acetyl chloride
U007	Acrylamide
U008	Acrylic acid

U009	Acrylonitrile
U012	Aniline
U019	Benzene
U021	Benzidine
U031	n-Butyl alcohol
U032	Calcium chromate
U037	Chlorobenzene
U041	Epichlorohydrin
U043	Vinyl chloride
U044	Chloroform
U048	o-Chlorophenol
U050	Chrysene
U052	Cresol (Cresylic acid)
U055	Cumene
U056	Cyclohexane
U057	Cyclohexanone
U067	Ethylene dibromide
U069	Dibutyl phthalate
U070	o-Dichlorobenzene
U071	m-Dichlorobenzene
U072	p-Dichlorobenzene
U076	Ethylidene dichloride
U077	Ethylene dichloride
U080	Methylene chloride
U081	2,4-Dichlorophenol

U082	2,6-Dichlorophenol
U083	Propylene dichloride
U084	1,3-Dichloropropene
U088	Diethyl phthalate
U092	Dimethylamine
U097	Dimethylcarbamoyl chloride
U102	Dimethyl phthalate
U105	2,4-Dinitrotoluene
U106	2,6-Dinitrotoluene
U107	Di-n-octyl phthalate
U108	1,4-Dioxane
U112	Ethyl acetate
U115	Ethylene oxide
U117	Ethyl ether
U119	Ethyl methanesulfonate
U122	Formaldehyde
U123	Formic acid
U124	Furan
U125	Furfural
U133	Hydrazine
U134	Hydrofluoric acid
U135	Hydrogen sulfide
U136	Cacodylic acid
U138	Methyl iodide
U144	Lead acetate
U147	Maleic anhydride

U149	Malononitrile
U151	Mercury
U154	Methanol
U159	Methyl ethyl ketone (MEK)
U161	Methyl isobutyl ketone
U165	Naphthalene
U166	1,4-Naphthoquinone
U167	1-Naphthylamine
U169	Nitrobenzene
U170	p-Nitrophenol
U182	Paraldehyde
U187	Phenacetin
U188	Phenol
U190	Phthalic anhydride
U196	Pyridine
U197	p-Benzoquinone
U201	Resorcinol
U202	Saccharin and salts
U208	1,1,1,2-Tetrachloroethane
U209	1,1,2,2-Tetrachloroethane
U211	Carbon tetrachloride
U213	Tetrahydrofuran
U219	Thiourea
U220	Toluene
U221	Toluenediamine
U226	1,1,1-trichloroethane

U228	Trichloroethylene
U238	Ethyl carbamate (urethane)
U239	Xylene
U246	Cyanogen bromide

IV. Permit Organization

The permit is organized according to the following format:

Permit Index

Permit Conditions

- I. Standard Conditions
- II. General Facility Conditions
- III. Container Storage Conditions
- IV. Compliance Schedule

Attachments

- I. Waste Analysis Plan
- II. Procedure to Prevent Hazards
- III. Contingency Plan
- IV. Personnel Training
- V. Closure Plan
- VI. Process Information
- VII. Facility Description

VI. Brief Summary of the State Permit Conditions

This section of the Fact Sheet provides a brief summary of the State permit conditions in the draft permit and the regulatory basis for these conditions. All citations of the regulations refer to the regulations as codified in 329 IAC 3.

A. General Permit Conditions

Permit Conditions contained in I. STANDARD CONDITIONS are regulatory requirements of 329 IAC 3. These conditions are of a general nature and are applicable to all hazardous waste management facilities regulated pursuant to RCRA.

<u>Permit Condition</u>	<u>Subject</u>	<u>Regulation (329 IAC 3)</u>
I.A.	Effect of Permit	33-3 35-1(e)
I.B.	Permit Actions	35-1(f) 36-2 36-3 36-4 14-3
I.C.	Severability	35-3(a)
I.D.1	Duty to Comply	35-1(a) 37-2
I.D.2	Duty to Reapply	34-1(h) 35-1(b)
I.D.3	Permit Expiration	39-12
I.D.4	Need to Halt or Reduce Activity Not a Defense	35-1(c)
I.D.5	Duty Mitigate	35-1(d)
I.D.6	Proper Operation and Maintenance	35-1(e)
I.D.7	Duty to Provide Information	35-1(h) 44-5(a)
I.D.8	Inspection and Entry	35-1(i)
I.D.9	Monitoring and Reporting	6-5 35-1(j)
I.D.10	Reporting Planned Charges	35-1(l)
I.D.11	Transfer of Permits	36-1 35-1(l)(3) 36-2(b)2 36-3(4) 41-3(c)
I.D.12	Anticipated Noncompliance	35-1(l)(2)

I.D.13	Compliance Schedules	35-4 35-1(1)(5)
I.D.14	Twenty-four Hour Reporting	35-1(1)(b) 43-7
I.D.15	Other noncompliance	3-35-1(10)
I.D.16	Other Information	3-35-1(1)(11)
I.D.17	Submittal of Reports or Other Information	3-35-1(h)
I.E	Signatory Requirement	34-2
I.F	Confidential Information	34-3
I.G.	Documents to be maintained at facility site	10-1 19-2 41-3 thru 41-7 43-4 44-4 46-3 47-3

B. General Facility Conditions

Permit conditions II.A to II.P are regulatory requirements of 329 IAC 3-41 through 329 IAC 3-47. Again, these conditions are of a general nature in that they are applicable to all facilities that manage hazardous waste pursuant to a RCRA permit.

<u>Permit Condition</u>	<u>Subject</u>	<u>Regulation (329 IAC 3)</u>
II.A	Design and Operation of Facility	42-2
II.B	Required Notices	41-3
II.C	General Waste Analysis	41-4
II.D	Security	41-5
II.E	General Inspection Requirements	41-6
II.F	Personnel Training	41-7

II.G	General Requirements for Ignitable Reactive, or Incompatible Wastes	41-8
II.H	Preparedness and Prevention	42
II.H.1	Required Equipment	42-3
II.H.2	Testing and Maintenance of Equipment	42-4
II.H.3	Access to Communications or Alarm System	42-5
II.H.4	Required Aisle Space	42-6
II.H.5	Arrangements with Local Authorities	42-7
II.I	Contingency Plan	43
II.I.1	Implementation of Plan	43-2
II.I.2	Copies of Plan	43-4
II.I.3	Amendments to Plan	43-5
II.I.4	Emergency Coordinator	43-6
II.J	Manifest System	44-2 44-3 44-7
II.K	Recordkeeping and Reporting	44
II.K.1	Operating Record	44-4
II.K.2	Sampling and Analysis Records	44-5
II.K.3	Biennial Report	44-6
II.L	Closure	46
II.L.1	Performance Standard	46-2
II.L.2	Amendment to Closure Plan	46-3
II.L.3	Notification of Closure	46-3
II.L.4	Time Allowed for Closure	46-4

II.L.5	Disposal and/or Decontamination of Equipment	46-5
II.L.6	Certification of Closure	46-6
II.M	Cost Estimate for Facility Closure	47-3
II.N	Financial Assurance for Facility Closure	47-4 47-10
II.O	Incapacity of Owners or Operators, Guarantors, or Financial Institutions	47-9
II.P	Liability Requirements	47-8 47-10

C. Specific Facility Conditions

This section contains permit conditions relative to the specific hazardous waste management unit(s) being permitted at the facility.

III.	Container Storage Conditions	48
III.A	Waste Identification	6
III.B	Unit Location	
III.C	Condition of Containers	48-2
III.D	Compatibility of Waste with Containers	48-3
III.E	Management of Containers	48-4
III.F	Containment	48-6
III.G	Inspection	48-5
III.H	Special Requirements for Ignitable or Reactive Waste	48-7
III.I	Special Requirements for Incompatible Waste	41-8(b) 48-8(c)
III.J	Closure Requirements	48-9

For additional information contact:

State: Ms. Beth May
Office of Solid and Hazardous Waste Management
Indiana Department of Environmental Management
105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015
AC 317/232-3220

EPA: Ms. Carol Witt-Smith
RCRA Permitting Branch
5HR-JCK-13
U.S. Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604
AC 312/886-6146

0423h rmw 12/19/90